

AN ACT

relating to motorcycle training, the enforcement of certification standards for motorcycles, and the license requirements for a three-wheeled motorcycle; creating an offense.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsection (a), Section 521.148, Transportation Code, is amended to read as follows:

(a) An applicant for an original Class M license or Class A, B, or C driver's license that includes an authorization to operate a motorcycle must furnish to the department evidence satisfactory to the department that the applicant has successfully completed a ~~[basic]~~ motorcycle operator training course approved by the department under Chapter 662. The department shall issue a Class M license that is restricted to the operation of a three-wheeled motorcycle if the motorcycle operator training course completed by the applicant is specific to the operation of a three-wheeled motorcycle.

SECTION 2. Subsection (b), Section 662.002, Transportation Code, is amended to read as follows:

(b) The program shall include curricula approved by the state agency administering the program ~~[developed by the Motorcycle Safety Foundation]~~.

SECTION 3. Section 662.006, Transportation Code, is amended to read as follows:

1 Sec. 662.006. UNAUTHORIZED TRAINING PROHIBITED. (a) A
2 person may not offer or conduct training in motorcycle operation
3 for [a] consideration unless the person is licensed by or contracts
4 with the designated state agency.

5 (b) A person who violates Subsection (a) commits an offense.
6 An offense under this subsection is a Class B misdemeanor, except
7 that the offense is a Class A misdemeanor if it is shown on the trial
8 of the offense that the defendant has been previously convicted of
9 an offense under this section.

10 SECTION 4. Subsection (b), Section 662.008, Transportation
11 Code, is amended to read as follows:

12 (b) Following denial, suspension, or cancellation of
13 ~~[Before the designated state agency may deny, suspend, or cancel]~~
14 the approval of a program sponsor or an instructor, notice and
15 opportunity for a hearing must be given as provided by:

- 16 (1) Chapter 2001, Government Code; and
17 (2) Chapter 53, Occupations Code.

18 SECTION 5. Section 521.227, Transportation Code, is
19 repealed.

20 SECTION 6. This Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 763 passed the Senate on March 27, 2013, by the following vote: Yeas 30, Nays 0; and that the Senate concurred in House amendment on May 22, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 763 passed the House, with amendment, on May 17, 2013, by the following vote: Yeas 132, Nays 2, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor